

**City of Hurst
City Council Minutes
Tuesday, October 25, 2016**

On the 25th day of October 2016, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
Bill McLendon	)	Councilmembers
Henry Wilson)	
Nancy Welton)	
David Booe)	
Trasa Cobern)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Malaika Farmer	)	Executive Director of Administration
Clayton Fulton	)	Executive Director of Fiscal and Strategic Service
Steve Moore	)	Police Chief
Steven Niekamp	)	Assistant Police Chief
Detective	)	Pat McGrail

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember Kitchens gave the Invocation.

The Pledge of Allegiance was given.

CONSENT AGENDA

1. Considered approval of the minutes for the October 11, 2016 City Council meetings.
2. Considered Ordinance 2338, second reading, amending Chapter 21, Article II. – Impact Fees including updated land use assumptions, capital improvement plans, and impact fee levels.
3. Considered authorizing the city manager to enter into a purchase agreement with Integrated Forensic Services and the Tarrant County Medical Examiner's office for evidence processing services.
4. Considered authorizing the city manager to enter into a purchase agreement with Red The Uniform Tailor for Police Department uniforms and equipment.

5. Considered authorizing the city manager to enter into an Engineering Services Contract, Amendment 1, with Deltatek Engineering for additional engineering services for the Tarrant County College (TCC) Elevated Storage Tank Renovation Project.
6. Considered authorizing the city manager to purchase six (6) Chevrolet Tahoe Police Edition vehicles and two (2) Chevrolet Impala Police CID units from Reliable Chevrolet.

Councilmember Wilson moved to pass the consent agenda. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

ORDINANCE(S)

7. Considered Ordinance 2339, first and final reading, amending Republic Services contract and residential, commercial and industrial trash and residential recycling rates.

Mayor Ward recognized Executive Director of Administration Malaika Farmer Marion who stated the amendment will allow a 3 percent increase to rates effective November 1, 2106 and November 1, 2017. Ms. Marion stated this increase still allows the City to have one of the lowest rates in the area and receive excellent services. City Manager Clay Caruthers noted it has been a couple of years since Republic has requested an increase. He stated this action does amend the contract to exceed the CPI to address inflation issues. In response to Councilmembers' questions, Ms. Marion reviewed area cities' rates and how senior and disabled citizens can request a discount for recycling services.

Councilmember Welton moved to approve Ordinance 2339, first and final reading, amending Republic Services residential, commercial and industrial trash and residential recycling rates, effective November 1, 2016, to be included in all City utility bills processed on, or after, November 1, 2016. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

8. Considered Ordinance 2340, first reading, amending the City of Hurst Code of Ordinances, Chapter 10, adding Article VI Junked Vehicles; repealing conflicting ordinances and declaring junked vehicles to be a public nuisance.

Mayor Ward recognized Managing Director of Development Michelle Lazo who reviewed the proposed Ordinance amendments to include changing the definition of a "Junked Vehicle" to require a valid license tag, which now covers the registration and state inspection. She also noted the clarification regarding timing and declaration of a nuisance. In response to Councilmembers' questions regarding aircraft in the definition, Ms. Lazo stated she is aware of one aircraft in the City.

Councilmember McLendon moved to approve Ordinance 2340, first reading, amending

the City of Hurst Code of Ordinances, Chapter 10, adding Article VI Junked Vehicles; repealing conflicting ordinances and declaring junked vehicles to be a public nuisance. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

9. Considered Ordinance 2341, first reading, amending the City of Hurst Code of Ordinances, Chapter 24, Section 24-21 View and Passage Obstructions, declaring low lying branches and shrubs to be a public nuisance.

Mayor Ward recognized Managing Director of Development Michelle Lazo who reviewed the proposed Ordinance amendment stating the current ordinance requires trees over residential street right-of-way to be trimmed up to 10 feet in height and trees over arterials to be trimmed up to 14 feet. She stated the new ordinance requires all to be 14 feet to accommodate fire, trash and delivery trucks. She stated the ordinance also requires bushes to be trimmed to avoid a view obstruction. In response to Councilmembers' questions, Ms. Lazo reviewed notification processes for the Code Enforcement Office, including door knocks, conversation, and notice of violations. She explained various ways staff will work with individuals if there are any financial hardships. Councilmembers discussed the need for staff to be informative and not threatening to the citizens.

Councilmember Wilson moved to pass Ordinance 2341 on first reading. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

10. Considered Ordinance 2342, first reading, amending the City of Hurst Code of Ordinances, adding Section 10-80.5 "Dead Trees", declaring dead trees to be a public nuisance.

Mayor Ward recognized Managing Director of Development Michelle Lazo who reviewed the proposed Ordinance adding a new section regarding dead trees and declaring dead trees a public nuisance, and stated staff worked with the Neighborhood and Advisory Committee to address the amendment. She stated the ordinance also includes a section that was inadvertently removed by Municipal Code Corporation during codification. Ms. Lazo stated staff receives many complaints regarding dead trees, for aesthetics and life safety issues. She stated the proposed ordinance will require residents to remove a tree or parts, thereof, if the tree is dead and/or constitutes an immediate safety risk to persons or property. She reiterated that staff will make every effort to work with residents to abate the nuisance while prioritizing safety. In response to Councilmembers' questions, Ms. Lazo stated there are several programs to help someone who does not have funding for removal. She stated staff will focus on trees in the right-of-way or ones that could fall on a house.

Councilmember Welton moved to approve Ordinance 2342, first reading, amending the City of Hurst Code of Ordinances, adding Section 10-80.5 "Dead Trees", declaring dead

ness to be a public nuisance. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

RESOLUTION(S)

11. Considered Resolution 1656 in support of local control for the upcoming 85th Legislative Session.

Mayor Ward recognized City Manager Clay Caruthers who reviewed the proposed Resolution, which reflects the City's belief they have the most direct contact with citizens and that the citizens are best represented by the local elected officials who have frequent contacts with their citizens. Councilmembers discussed the ongoing attempt by the Legislature to erode local authority and the need to recognize that all cities are different and have different needs.

Councilmember Kitchens moved to approve Resolution 1656 in support of local control for the upcoming 85th Legislative Session. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

12. Considered Resolution 1657 authorizing the city manager to submit a grant application for the Mobile Forensic Project to the Office of Governor, Criminal Justice Center.

Mayor Ward recognized Assistant Police Chief Steven Niekamp who reviewed the proposed Resolution and introduced Detective Pat McGrail who reviewed the investigation process of extracting data from mobile devices, such as cellular phones, Global Positioning System devices, tablet computers, etc. Detective McGrail explained the limited resources currently available to the department and that the data is an effective tool for successful investigations. In response to Councilmembers' questions, Detective McGrail stated project cost is the grant amount of \$24,000.

Councilmember Cobern moved to approve Resolution 1657 authorizing the city manager to submit a grant application, for the Mobile Forensic Project, to the Office of Governor, Criminal Justice Center Division. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

ACTION ITEM(S)

13. Considered authorizing the city manager to approve funding for the 42nd Year Community Development Block Grant (CDBG) Sheri Lane Paving and Water Improvements.

Mayor Ward recognized Executive Director of Public Works Greg Dickens who reviewed the bid and award process with Tarrant County, noting three bids were received. Mr. Dickens stated Reliable Paving, Inc. submitted the lowest bid and staff is recommending the City recommend Tarrant County award to the low bidder, Reliable Paving, Inc., and authorize the city manager to provide funding above the approved grant amount of approximately \$50,000.00. In response to Councilmembers' questions, Mr. Dickens stated he anticipates the project will start in January 2017, and typically takes six months for completion, but believes it may be completed sooner. He stated he has worked with Reliable Paving, Inc., and they are a reliable company.

Councilmember Welton moved to approve Tarrant County award the contract for the 42nd Year CDBG Sheri Lane Paving and Water Improvements Project to Reliable Paving, Inc., in the amount of \$315,829.00, with a 10% contingency of \$32,000.00, for a total of \$347,829.00, with the City being responsible for all project costs over the County grant amount of \$266,211.70. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

OTHER BUSINESS

14. Councilmembers reviewed of the following advisory board meeting minutes:

- Historical Landmark Preservation Committee

Councilmember Kitchens and Executive Director of Administration Malaika Farmer Marion provided a brief update on the Parker Cemetery Project and Councilmember Kitchens stated he could share some interesting historical facts discovered by he and his wife, Carolyn, at a future work session.

15. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the following calendar items:

- Saturday, October 29, 2016, 7:00 a.m. – noon, Good Neighbor Day, Bellaire Shopping Center
- Tuesday, November 1, 2016, 6:30 p.m. – Chat with the Police Chief, Hurst Public Library
- Tuesday, November 22, 2016 – Regular City Council meeting Canceled
- Wednesday, November 23, 2016 - City Offices close noon
- Thursday, November 24, 2016 - City Offices closed
- Friday, November 25, 2016 - City Offices closed
- Tuesday, November 29, 2016, 5:00 p.m. – 9:00 p.m. – Christmas Tree Lighting, Hurst Conference Center

In response to Councilmember Wilson's question, Executive Director of Administration Malaika Farmer Marion stated the Senior Center Banquet tickets were currently on sale at the Recreation and Administration Offices.

City Manager Clay Caruthers introduced newly hired Executive Director of Fiscal and

Strategic Services Clayton Fuller.

16. City Council Reports – Mayor Pro Tem Larry Kitchens provided a brief review of the recent Cyber Security Conference noting the attendance was down this year, and consideration might be given to a biennial conference. He stated his appreciation to staff and Council for their support of the conference and stated the information provided was very good. Also, noted was his involvement with the TML Taskforce for Cyber Security.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED

Mayor Ward recognized several students in attendance and Ms. Doris Young who reviewed attendance at the Senior Center Arts and Craft Fair.

EXECUTIVE SESSION in Compliance With the Provisions of the Texas Open Meetings Law, Authorized by Government Code, Section 551.074, Personnel - (Evaluation of City Council Appointees) and to reconvene in Open Session at the conclusion of the Executive Session

Mayor Ward recessed the meeting at 7:44 p.m. to Executive Session in compliance with the provisions of the Texas Open Meetings Law, authorized by Government Code, Section 551.074, Personnel - (Evaluation of City Council Appointees) and reconvened Open Session at 8:16 p.m.

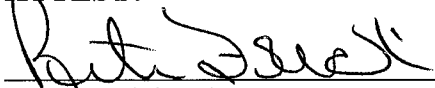
17. Consider and take any and all action ensuing from Executive Session – No action was taken.

ADJOURNMENT

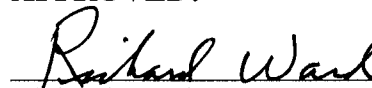
The meeting adjourned at 8:16 p.m.

APPROVED this the 8th day of November 2016.

ATTEST:


Rita L. Frick, City Secretary

APPROVED:


Richard Ward, Mayor